

Political (1897) Department.

ORDINARY MS.

G.O., No. 201

DATED 25- 3- 97

ENCLOSURE.

[Despatch Abstract.]

Forwarding to the Paymaster, Carnatic Stipends, with remarks, certain petitions from C. Moh. ud- din Husain asking for a reconsideration of the orders regarding his claim to a stipend.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Poll. 7
1,000-25

Political (1897) Department.

CURRENT No. 314

C.S.

So. mis

The foot declines to comply with the petitioner's request. Further communications from him on the subject will not be noticed.

From

C. Mohi-ud Din Husain

P.Li(q).

C.S.
Order

No.

Please see G.O. 43 Salt

of 4-1-94 and the notes therein (N).

Petitioner states that that Dated order was passed without a ref: to the Paymaster; and begs that this ref: might be made and the matter decided on the P.C.'s report.

3
5
5
-1
3-97

SUBJECT.

It is submitted that as the case was clear one, there was no necessity for such a reference and that there is no reason for complying with petitioner's request. Requesting to pass orders on this petition for a stipend after obtaining a report on it from the Paymaster Carnatic Stipends.

His statement that Afsar-un-Nisa Begam's name was omitted from the list of Continuable stipends.

By Memo. dated 3/1/94
The fo. pushed 23/4-1-94 in the file with the stamps

BACK PAPERS.

stipends through an over-
sight is not correct vide
the notes in the original memo-
rial at N.

It will be seen from

C.W.
4.3.97 A that the footy hadia

saw no reason to interfere

in his behalf when petitioner

appealed against G.O. 401 Bldy
24.6.96 with holding his
memorial to that footy

G.O.	No.	Department.	Date.
597:	2.9.96	557:	15.8.93.
401:	24.6.96	27:	17.1.91
370:	11.6.96	359:	22.5.85
242:	4.4.96	Smc 221:	27.3.88
3:	4.1.94	" 67:	19.1.57
776:	16.11.93	" 352:	4.10.56.
357:	22.5.85		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

TO

HIS EXCELLENCY THE RIGHT HON'BLE

BEILBY BARON WENLOCK, G.C.I.E.,

GOVERNOR AND PRESIDENT IN COUNCIL,

FORT ST. GEORGE.

The humble Memorial of Mohi-ud-din
Husain, adopted son of the late
Afsar-un-nisa Begam Sahiba Car-
natic Stipendiary No. 1316 A.,
widow of Shams-ud-daula Baha-
dur son of His late Highness
Nawab Azim-ud-daula Bahadur
the 1st Titular Sovereign of the
Carnatic.

MOST RESPECTFULLY SHEWETH,

That Your Excellency's humble Memorialist is the foster son of
Afsar-un-nisa Begam, widow of the late Shamsud-daula Bahadur son
of H. late H. Navab Azim-ud-daula Bahadur, the first Titular Sovereign
of the Carnatic. The said Begam who was in the enjoyment of a
stipend of Rs. 190 per mensem granted to her under E. M. C. 221 dated
27th March 1858 on the demise of her late husband, departed this life
on the 19th February 1893, leaving Memorialist and her retainers and
servants (as per list drawn up in due form before her death and placed
in custody of the Paymaster Carnatic Stipends, Chepak.) her surviving
totally unprovided for; in as much as they were solely dependant
upon the stipend of the deceased lady.

2. That upon her death Memorialist submitted a petition to the
Paymaster of the Carnatic Stipends in usual course and the Endorse-
ment, No. 188, dated 3rd May 1893 upon his said Petition is as follows.

"C. Mohi-ud-din Husain is informed with reference to his Petition
of the 1st Instant, that the Stipend, drawn by the late CS. No. 1316
A, Afsar-un-nisa-Begam not being returned continuable, his prayer for a
continuation therefrom is inadmissible under regulations."

So RN 62
4/21-3.93

3. That Col. Baynes the last officer who held charge of the Government Agency at Chepak, before relinquishing charge of, and vacating, his office, drew up for information and guidance of Government a Schedule or List wherein he marked out such pensions in the Carnatic family as he deemed continuable after the demise of the present holders. In this List Col. Baynes excluded the name of the said Afsar-un-nisa Begam, Memorialist's foster mother. Col. Baynes has not put forth any reason for his so doing. The only possible explanation seems to be that it was due either to an oversight on the part of the said officer, or to the fact that the deceased Begam had no issue. In either case the said omission is unjustifiable; for the order of His Excellency the Right Hon'ble, the Governor-General and the Viceroy of India (No. 4788, dated 17th September 1856) laying down the general principles to be adopted in cases of Carnatic Stipends, does not prevent the said Begam's Stipend being continued, she being in reality the original grantee.

4. That if the omission referred to in the foregoing para arose from Col. Bayne's oversight, Your Excellency's humble Memorialist most humbly prays that Your Excellency may be graciously pleased to rectify the error and order continuations from the lapsed stipend of the said deceased to Memorialist and her retainers as recommended by the deceased lady in her life time. But if Your Excellency be of opinion that the said omission was due to absence of issue by the deceased Begam, Your Excellency's humble Memorialist, in support of his claim, respectfully begs to bring to Your Excellency's kind notice the following instances in which the same officer recommended continuations which he has denied in the case of the said Begam.

- (i.) In case of Auzam-un-nisa Begam, Col. Baynes recommended her stipend as continuable which on the demise of the said lady the Government sanctioned in their order 432 dated 29th June 1888 to the said lady's servants both in the menial and higher capacities as well as to the deceased lady's daughter and grandsons.
- (ii.) In the case of H. H. Navab Khair-un-nisa Begam Sahiba similar continuation is guaranteed which although Her Highness has no issue shall nevertheless cause her Stipend to be continued on her death to the children of an adopted daughter and the several servants and retainers in Her Highness's household.
- (iii.) In the case of Husain Bi widow of Munir-ud-daula Bahadur continuation of a moiety of her Stipend on her demise was sanctioned as per G. O. 16 Poll. dated 9th January 1885.
- (iv.) In case of Farhat Bi widow of Munir-ud-daula Bahadur the Government were pleased to grant continuation of her Stipend vide G. O. 433 Political dated 8th July 1893.
- (v.) In case of Yasin Bi widow of Munir-ud-daula Bahadur similar continuation is guaranteed by Govt. in their No. 359 Poll dated 22nd May 1885.
- (vi.) In cases of Taj Bi Khadam Khair and Rahat Bannu widows of Itibar-ud-daula Bahadur continuations of their pensions are also guaranteed by Government in appendix "F" to G. O. 359 dated 22nd May 1885.

That in all the above cases, Your Excellency's humble Memorialist respectfully begs to submit the Government were pleased to show indulgence to the several servants and retainers of the stipendiaries enumerated, solely on the recommendation of Col. Baynes as expressed in appendix F. of the Lists he drew up embodied with G. O. 359 Poll, dated 22nd May 1885.

7. That in almost every case above quoted in which the grantees are issueless like Your Excellency's humble Memorialist's foster mother (deceased) the Government have been pleased to grant a concession which is denied in the present unfortunate case for apparently no reason whatsoever. There are no special rules or orders in consequence of which Memorialist's foster mother is to be excluded from the concessions granted to others in general in pursuance of the orders of the supreme Government conveyed in G. G. O. 4644 dated 9th September 1856. The exclusion of the said Begam's stipend from the privilege of continuation is apparently based upon Col. Baynes' reports which do not seem to have been adopted upon any general principles.

8. That the true principle upon which such continuations are to be based is laid down by the Government of India order quoted above. In this G. O; H. E. the Right Honorable the Viceroy and Governor General of India directs this Government that in cases of male members of Carnatic family the continuations of stipends are admissible for 3 lives including the original grantee; and that on the occasion of every lapse a reduction of 50 per-cent of the stipend being holden is to be made thus leaving the remaining 50 per-cent to be continued to the surviving issues or in default thereof to the retainers &c. of the deceased stipendiary.

9. That in the case of Your Excellency's humble Memorialist the original grantee was the said Afsa-un-nisa Begam Sahiba herself, the Memorialist's foster mother and as such her stipend under the orders above quoted is continuable to her heirs or dependants; and as she left no heirs, she during her life time prepared a list which she submitted to the then Government Agent, Chepak with a recommendation that on her demise that officer may be pleased to recommend Govt. continuations noted in the list and a copy of the same was also forwarded by her to Government, who were pleased to order in their No. d/ September 1879, that they would consider the same after her demise.

10. That under the Government of India order above quoted, the deceased Begam's pension could not lapse even if she be considered a second in grant, which she is not: for then her deceased husband would be the original grantee: and he being a male stipendiary his stipend ought to be continuable for three lives.

she was a second holder
332
4.10.86

but the case in question was that of a female

not traceable

the original grantee was a female

359
80.22-85

332
4.10.86

11. That if on the other hand it be admitted that she was the original grantee then her stipend under the provisos of the said G. G. O. becomes continuable to one more life after her death.

12. That Your Excellency's humble Memorialist respectfully prays Your Excellency may be graciously pleased to rectify the error committed by Col. Baynes in his said reports and order continuations to Memorialist and others as recommended by the said Afsar-un-nisa Begam Sahiba prior to her death.

13. That Your Excellency's humble Memorialist most humbly begs to submit that Govt. have shown similar favours to the widows and even harams of Munir-ud-daula Bahadur and Itibar-ud-daula Bahadur both of whom do not hold the same social position and rank as the late Shams-ud-daula Bahadur, their half brother and that the payers of his widow the deceased Begam are under the circumstances but just and reasonable. The stipends of Rs. 10, 5, 3 and 2½ enjoyed by the widows and harams of both Munir-ud-daula Bahadur and Itibar-ud-daula Bahadur were notwithstanding their being issueless, continued to their dependants and that the prayers of the deceased Begam were to the same effect.

14. That if the Govt. do not condescend to view the matter in the light of a right, Your Excellency's humble Memorialist submits that compassionate notice at least may be taken of the case and in consideration of having granted more than what their right was to the families of Munir-ud-daula Bahadur and Itibar-ud-daula Bahadur, (for in each case, as per G. Os. 62 & 764 dated 29th January 1885 and 4th October 1887 respectively, Rs. 24 per mensem, in excess of the amounts to which they were entitled under H. E. the Right Honorable the Governor General's orders, were granted may order to Your Excellency's Memorialist and others a continuation consonant with the existing rules.

15. That under the above circumstances Your Excellency's humble Memorialist hopes that Your Excellency will be graciously pleased to fully consider his case and order continuations of the deceased lady's stipend to Memorialist and others as recommended by her.

Petitioner shall as in duty bound ever pray.

MADRAS,
December 1893. }

G. R. C. AND CO., MADRAS.



CURRENT No. 314

His Excellency the Right Honorable
the Governor in Council,
Fort Saint George.

The humble memorial of
C. Mohi-ud-Din Husain
Most humbly sheweth:-

That with reference to the enclosed memorial and the orders passed thereon the memorialist most humbly states that the orders were passed in his case without a reference being made for report, as to the maintainability of his claim, to the proper responsible authority viz: the Paymaster of Carnatic Stipends at Chepal. Memorialist is perfectly sure that the gentleman, who recommended continuations of stipends to the Carnatic Stipendiaries apparently laboured under a mistake, and it was due, mainly, to an oversight that the memorialist's foster mother Afsar-un-Nisa Begum's name did not find its place in the list of continuable stipends. The memorialist therefore very humbly solicits Your Excellency to be graciously pleased to call for a report from the Paymaster and then to decide the matter on its own merits. This favour shall completely satisfy memorialist even though nothing further is done. He strongly and sincerely believes that the Paymaster shall represent the matter in its true and just light.

The humble memorial
begs to remain,
Your Excellency's most Obe-
-dient & humble Serrant,
C. Mohi uddin Hussain

Kaveripak
N. Arcot Distt.
3^d March 1897

A
The file reg
a ~~claim~~ ^{request} for
reconsideration of the
claim to pension by
a grandson of
Pardah Begum
went to go on the 10th
Please let us have
it back. AK.
12-3-97

SA

Has the book for 13/97
lists of Camatic
stipend come back
yet? No.

I don't understand
why two of the stipend
of descendants of Navab
Seed in use Begum,
(also a wife of Navab
Agar and Daulat) are
marked C. (at L)
At 10/3

[G.]
26
1,000-14-12-96.

C. No. 314

Poll. DEPARTMENT.

H. E. THE GOVERNOR.
THE HON'BLE MR. BLISS, C.I.E.
THE HON'BLE MR. GROSE, C.I.E.

SUBJECT.

Petition from C. Mohi-ud-din
Husain asking for a reconsideration
of the orders regarding his
claims to a pension stipend.

FOR ORDERS.

CS

FO 344-1-94.

vide Mr. Ponglis note
all put off with for
C.I.E.

④ and that Pet. could only claim
as dependant on a pension
carrier also rights of her ship.
This is latter
ground is the
important one +
bars Pet's claim
C.I.E.
77-4-97

FO 344-1-94 N

FO 357 22-5-85 K

FO 242 4-4-96 C

Petitioner in Dec. 1893 put in
a printed memorial (just before
N) praying for a continuation
of his part of the stipend which
had been drawn by his foster
mother Afsar un nisa Begum.
His request was refused on the
ground that Afsar un nisa
Begum was the second holder
of the pension. Under the rules
regulating these pensions no
further continuation could be
granted.

in March 1896
Petitioner next asked for a
reconsideration of this order,
arguing that the rule regarding
leaves had not been put into
force with regard to his case.

and suggesting that Col. Baynes
made a mistake in not showing
the stipend of her ^{father's} mother as
continuable.

This petition was rejected on
the ground that from the
very outset After an ^{un}visa's
stipend had been declared
non-continuable.

Petitioner presented in June
1896 an appeal to the Govt
of India on this subject. This
was withheld on the ground
that the order appealed
against (that of 4-1-94
no 3 Pol) had been passed
more than two years before.
Petitioner however argued that his
memorial was an appeal
against the order of 4-4-96
no 242 Pol, declining to
reconsider the previous order:
he urged therefore that his
memorial was in time, &
presented a memorial ^{indeed}
to the Govt of India which referred
to ^{the} ^{order} (vide A)

vide E.M.C. no 221 d. 27-3-58

B 104018, 24-6-96.

N

C

A

The Paymaster of Carnatic
Stipends may be consulted.
The Paymaster, as is shown in
the petition, originally decided
that Petitioner's claim was inadmiss-
ible.

It is quite clear from
the records that After an
unvisa Begum's pension was
dealt to die with her. She
appears as no 1316 A (on
page 3) in the list of the
immediate family of the late
Nobol of the Carnatic. It
is then clearly stated that
she holds part of an allowance
granted to Paddhat Begum, &
that her pension is for life
only. This stipulation is
expressly made in E.M.C.
no 221 Pol. d. 27-3-58.
& thus, it is submitted, justifies
the order passed
on petitioner's case.

At the same time a
search among the records seems
to show that part of what is
petitioner's claim is

Book file

D.

has not been treated so well
as his other branches.

The most notable case is
that of Ahmed un Nusi
Begum, Shadi granddaughter
of Said un Nusi Begum, a
widow of the Nawab Azim ud
dowla. On page 1 of the
list of Political pensioners it
is distinctly stated that her
pension was only for life.

Under the rules regarding the
stipends of 1855, a summary of
which is printed on page 3 of

G.O. no 357 P.M. of 1885 (K) the
original grantee in her case
being a female (her grandfather
Said un Nusi Begum) only one

continuance of this pension is
permissible: it therefore should
have lapsed on the death of
Ahmed un Nusi Begum.

According to the list of 1873

& 1884 her pension is entered

as for life. In the list of 1885
printed in the G.O. no 357 P.M.
d. 22-5-1885 - it is shown

as continuable. In the

(original orders at E)
Sme 33234-10-56

This is the guide. Prior to 1885 there
was no such thing as continuance of
the pension. It was more or less a
case by case. See the list of 1885
on p. 2 and 3 of the
357 P.M. of 1885.

marked with red tape
in the book file.

F. see also L

in the book

G

case ④
This has also, it is said,
been cleared up completely.

Note: A reference on this
point has been made
under order of C.S. to
the P.C.S.

Petition from Sharada Begum
now sent to the Governor.

H

no 27 P.M. d. 17-1-91

it is again shown as
continuable (Similar
variations have been observed
in regard to one Muhammad
Fakir-ud-din)

Attention is invited to
para 2 of the letter of the
P.C.S. d. 28/2/93 printed
on page 1 of G.O. no 557 P.M.
d. 15-8-93. The P.C.S.
there says

(1) that Ahmed un Nusi
Begum was the female
original grantee.

(2) that the stipend was
marked continuable
in Appendix F to G.O. no
359 d. 22-5-85.

For further information, it is
submitted, kindly refer to
The first statement appears
from the remark on page 1
of the book file of lists of P.M.
Pensioners to be incorrect. In
the list at L (Signed un Nusi
Begum)

that un. Nusi Begum died between June
and October 1856 before the settlement
of the 1855 stipends was completed.
Hence on para 6 of letter no 880 of
24 October 1866 on p. 31, letter
no 472 of 29. 11. 86 on p. 34, letter no
8 of 3. 10. 6321 of 31. 12. 86 on p. 36
and especially the list on p. 36
of the 357 P.M. of 1885
Ahmad un. Nusi Begum was
original grantee.

F

entry was changed, &
why while the pension of
Navab Ahmed in his
Deputy is marked continuous
list of Afzal in his Deputy
(through their pet. claims)
was marked "should be" &
is not apparent. If Ahmed
in his Deputy is to be
considered this fresh grant
it would seem that the
same rule might have
applied to Afzal in his
Deputy.

Afzal (2) says it is submitted
that in the list of 1885 does
not appear to be always
correct its authority in future
cases will be doubtful. It
is submitted therefore that
the present pet. may be sent
to the P.C.S with a memo
pointing out the discrepancies
mentioned above. That he
be asked to have the list
of 1885 checked.

Along as that list is compiled
as final there will be no difficulty.

Submitted that the discrepancies
in the list of 1885 are more apparent
than real, that a re-examination
of the 1885 list after a lapse
of 12 years will lead to further
confusion.

Quod

And he recd me, the
original papers are
searched & discrepancies
found, it is submitted
that it is not only safe,
but likely to save much
trouble in future, to have
the whole list of 1885 checked
over more.

AK.

13-3-87

Adm. I have not followed
up any of the other cases
but it looks as if
similar variations occur in
the case of Refat-ul-mulk
Behadur. (1310)

CS

Current no 314. Poll.

order. No. 201 of 25-3-9

The petition, as well as the former petition of C. Mohi-ud-Din Husain dated 16 March 1896 will be forwarded to the Paymaster of Carnatic Stipends for report.

D It is observed that ^{the} stipulation expressly made in E.M.C no 221 Poll. d. 27 March 1858 that the pension of Afsar-un-nisa Begum should continue for life only is sufficient ground for the orders passed in the petitioners' case, ~~yet~~ there ^{still} appears to be some basis for the contention of the petitioner that his branch of his family has been treated less liberally than the descendants ^{Nawab} of Ahmed-un-nisa Begum. Special attention is ^{invited} ~~called~~ to para 2 of the P.C.S. d. 28 March 1893 no 127 printed in G.O. no 557 Poll. d. 15 August 1893 where Nawab Ahmed-un-nisa Begum is described as the "original grant" although it would seem that

H

her pension came to her from
 Syed un nisa Begum, & that
 she ^{was} therefore in a similar
 position to that occupied
 by Afzar un nisa Begum.
 The Paymaster is requested to
 explain, if possible, this
 difference of treatment & ^{to} ~~the~~
 view of the fact that the
 pension of Nawab Ahmed un
 nisa Begum is entered as
 continuous in the Appendix
 B to G.O. no 357 Pol. d.
 22 May 1885 while that
 of Afzar un nisa Begum is
 ordered to lapse, ~~which~~ to
 report whether any attention
 is required in that Appendix.

AK.

22/2/97.

24/2/97

The Pay = commuted & ^{to be} ~~with~~
 3 ^{petitions} ~~to be~~ ^{relat}

en given for copying
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 en examined
 en signed

AGAIN G.O., No.
 189

DATED

T No.

RES TO C. No.

GOVERNMENT

GOVERNMENT.

WITH DITTO.

BY FILED UP, BEING MEANT FOR DESPATCH
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